Single Bench

C.S. 1001

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. NO. 1244 **/2005**

PETITIONER / PLAINTIFF : Sami Ulla Kuraishi, S/o. Mohd. Siddhique Kuraishi, Aged about 31 years, R/o. Mayapur, Ambikapur, Distt. Surguja (C.G.)

VERSUS

RESPONDENTS / DEFENDANTS :

1] Mohd. Jabbar Kuraishi, Aged 43 years, S/o. Mohd. Siddhique,

2] Kalimulla Kuraishi S/o Mohd. Siddique Miya Aged about 42 years

3] Mustri Khatun W/o. Fakir Mohammed, Aged about 52 years, All R/o. Mayapur, Ambikapur, Distt. Surguja (C.G.)

P.R. No. 1101/03
Presented by Shri Vaishnava
dt. 14-03-05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(52)

आदेश पत्रक

मामला क्रमांक WP 1245/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17.6.2005 Mr. Manoj Paranjpe, counsel for the petitioner. Mr. M.P.S. Bhatia, counsel for the respondents. Return has not been filed on behalf of the respondents. However, counsel for the respondents at the outset submitted that after recording evidence of both the parties the matter was fixed for final hearing but on account of stay granted by this court the matter is not being heard. In the circumstances he submits that he has no objection if the Commissioner is appointed by the Court below for site inspection and that Commissioner should give his report within a period of 07 days from the date of appointment. In view of the above submission of counsel for the respondents, petition of the petitioner is allowed, the order impugned is set aside and the trial Court is directed to appoint the Commissioner for site inspection as prayed by the plaintiff and it should be ensured that the Commissioner submits its report within 07 days from its appointment. Thereafter, the trial Court to proceed with the trial of the suit in accordance with the law. Certified copy as per rules. **Sd/-** **L.C. Bhadoo** **Judge**	

(पीछे देखिये)